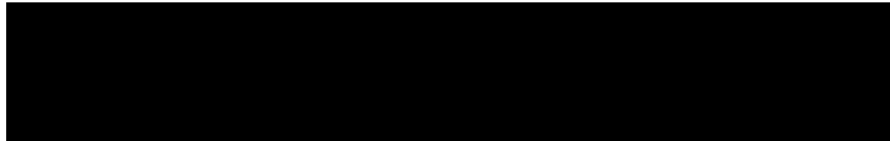


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U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Administrative Appeals Office (AAO)  
20 Massachusetts Ave., N.W., MS 2090  
Washington, DC 20529-2090



U.S. Citizenship  
and Immigration  
Services



B5

Date: **JUL 16 2012** Office: NEBRASKA SERVICE CENTER

FILE:

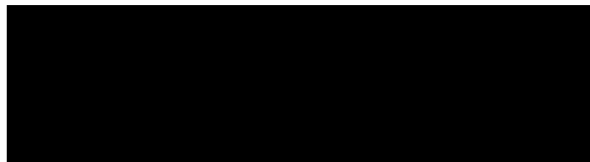


IN RE: Petitioner:  
Beneficiary:



PETITION: Immigrant petition for Alien Worker as a Professional Holding an Advanced Degree or an Alien of Exceptional Ability pursuant to section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

ON BEHALF OF PETITIONER:



**INSTRUCTIONS:**

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

If you believe the AAO inappropriately applied the law in reaching its decision, or you have additional information that you wish to have considered, you may file a motion to reconsider or a motion to reopen in accordance with the instructions on Form I-290B, Notice of Appeal or Motion, with a fee of \$630. The specific requirements for filing such a motion can be found at 8 C.F.R. § 103.5. **Do not file any motion directly with the AAO.** Please be aware that 8 C.F.R. § 103.5(a)(1)(i) requires any motion to be filed within 30 days of the decision that the motion seeks to reconsider or reopen.

Thank you,

Perry Rhew  
Chief, Administrative Appeals Office

**DISCUSSION:** On May 25, 2010, the Administrative Appeals Office (AAO) rejected an appeal to the denial of an employment-based preference visa petition by the Director, Nebraska Service Center (NSC). The matter is now before the AAO as a motion to reopen/reconsider. The motion will be dismissed.

The petitioner is a provider of specialist video and audio services. It seeks to employ the beneficiary permanently in the United States as a chief financial officer. The petitioner seeks to classify the beneficiary as an alien worker pursuant to section 203(b)(2) of the Immigration and Nationality Act, (the Act), 8 U.S.C. § 1153(b)(2), as a professional holding an advanced degree. The director determined that the petitioner had not established that the beneficiary possesses an advanced degree or a foreign equivalent degree or in the alternative a United States baccalaureate degree or a foreign equivalent degree and at least five years of post-baccalaureate experience in the specialty as required by 8 C.F.R. § 204.5(k)(3)(i), and denied the petition accordingly.

A review of U.S. Citizenship and Immigration Services (USCIS) records indicates that the alien filed a Form I-485 Application to Adjust Status, receipt number [REDACTED] which was approved on May 11, 2011. Because the alien has adjusted to lawful permanent resident status, further pursuit of the matter at hand is moot.

**ORDER:** The motion to reopen/reconsider is dismissed based on the alien's adjustment to lawful permanent resident status.